

SENATE BILL NO. 308—SENATOR SCHNEIDER

MARCH 21, 2011

Referred to Committee on Judiciary

**SUMMARY**—Authorizes charitable organizations to operate remote caller bingo games. (BDR 41-46)

**FISCAL NOTE:** Effect on Local Government: No.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to gaming; authorizing charitable organizations to operate remote caller bingo games; requiring the Nevada Gaming Commission to adopt regulations governing the operation of remote caller bingo games; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

This bill authorizes charitable organizations to operate remote caller bingo games. **Section 3** of this bill defines “remote caller bingo game” as a bingo game in which: (1) the numbers or symbols on randomly drawn plastic balls are announced by a natural person who is present at the location where a live bingo game is being operated; and (2) the charitable organization operating the bingo game uses audio and video technology to link any of the charitable organization’s in-state facilities for the purpose of transmitting the remote calling of the live bingo game to multiple locations that are owned, leased or rented by the charitable organization. **Section 4** of this bill requires the Nevada Gaming Commission, with the advice and assistance of the State Gaming Control Board, to adopt regulations governing the operation of remote caller bingo games and the licensing of operators of remote caller bingo games. **Section 4** also requires that such regulations adopted by the Commission include certain provisions relating to the operation of remote caller bingo games.

**Section 7** of this bill provides that it is unlawful for a person to operate a remote caller bingo game without first obtaining and thereafter maintaining all required gaming licenses, and a person who willfully violates or attempts or conspires to violate this provision is guilty of a category B felony.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 463 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

**Sec. 2.** *“Charitable organization” means a civic, educational, fraternal, patriotic, political, religious or veterans’ organization that is not operated for profit.*

**Sec. 3.** *“Remote caller bingo game” means a bingo game in which:*

*1. The numbers or symbols on randomly drawn plastic balls are announced by a natural person who is present at the location where a live bingo game is being operated; and*

*2. The charitable organization operating the bingo game uses audio and video technology to link any of the charitable organization’s in-state facilities for the purpose of transmitting the remote calling of the live bingo game to multiple locations that are owned, leased or rented by the charitable organization.*

**Sec. 4.** *1. The Commission shall, with the advice and assistance of the Board, adopt regulations governing the operation of remote caller bingo games and the licensing of operators of remote caller bingo games.*

*2. The regulations adopted by the Commission pursuant to this section must provide that:*

*(a) No person or charitable organization may operate a remote caller bingo game without obtaining a license to operate remote caller bingo games. The license to operate remote caller bingo games must list all the locations that are approved by the Commission where remote caller bingo games may be operated under the license. The Commission shall issue qualifications for a license to operate remote caller bingo games and shall set forth an application process for such a license.*

*(b) The operating of a remote caller bingo game is subject to the following restrictions:*

*(1) The drawing of each ball that bears a number or symbol by the natural person calling the remote caller bingo game must be visible to all players as the ball is drawn, including those players who are participating in the game at remote locations and who are viewing the live game through a simultaneous live video feed. The audio or video technology used to link the charitable organization’s in-state facilities may include cable, Internet, satellite, broadband or telephone technology, or any other means of electronic transmission that ensures the secure, accurate and simultaneous transmission of the announcement of numbers or symbols in the live bingo game from the location of the live bingo*



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1 *game to any remote locations where players are participating in*  
2 *the game.*

3 (2) *A licensee of remote caller bingo games or members of*  
4 *the charitable organization may not receive a profit, wage or*  
5 *salary from any remote caller bingo game.*

6 (3) *A remote caller bingo game must be operated and*  
7 *staffed only by a licensee of remote caller bingo games or*  
8 *members of the charitable organization, with the exception of*  
9 *administrative, managerial, technical, financial or security*  
10 *personnel who are employed by the licensee at any location*  
11 *participating in the remote caller bingo game. Notwithstanding*  
12 *any other provision of law, an agreement between a licensee and*  
13 *other persons or entities to provide services for the administration,*  
14 *management or operation of a remote caller bingo game is not a*  
15 *violation of any prohibition against holding a legal financial*  
16 *interest in a remote caller bingo game by persons or entities other*  
17 *than a charitable organization.*

18 (4) *A licensee of remote caller bingo games must not have*  
19 *overhead costs exceeding 25 percent of the licensee's gross sales,*  
20 *except that the limitations of this subparagraph do not apply to*  
21 *one-time, nonrecurring capital acquisitions. For purposes of this*  
22 *subparagraph, overhead costs include, without limitation,*  
23 *amounts paid for rent and equipment leasing and the reasonable*  
24 *fees authorized to be paid to administrative, managerial, technical,*  
25 *financial and security personnel employed by the licensee. For the*  
26 *purposes of keeping its overhead costs below 25 percent of gross*  
27 *sales, a licensee may elect to deduct all or a portion of the fees*  
28 *paid to financial institutions for the use and processing of credit*  
29 *card sales from the amount of gross revenue awarded for prizes.*  
30 *Such deducted fees are not considered overhead costs. Fees paid*  
31 *to financial institutions for the use and processing of credit card*  
32 *sales may not be deducted from the proceeds retained by the*  
33 *charitable organization.*

34 (5) *No person may be allowed to participate in a remote*  
35 *caller bingo game unless the person is physically present at the*  
36 *time and place where the remote caller bingo game is being*  
37 *operated. A person shall be deemed to be physically present at the*  
38 *place where the remote caller bingo game is being operated if*  
39 *the person is present at any of the locations participating in the*  
40 *remote caller bingo game in accordance with this section.*

41 (6) *A charitable organization may only cosponsor a remote*  
42 *caller bingo game with one or more charitable organizations that*  
43 *share the same type of membership category. Unaffiliated*  
44 *charitable organizations must be limited to a maximum of two*



1 *remote caller bingo games per week at a maximum of 10 locations*  
2 *per game.*

3 (7) *A remote caller bingo game must be played until a*  
4 *winner is declared. The declared winner of a remote caller bingo*  
5 *game shall provide his or her identifying information and a*  
6 *mailing address to the on-site manager of the remote caller bingo*  
7 *game. Prizes must be paid only by check if the prize money is*  
8 *\$1,000 or more. The licensee of the remote caller bingo game may*  
9 *issue a check to the declared winner at the time of the game or*  
10 *may mail a check to the declared winner by certified mail, return*  
11 *receipt requested, within 10 days after the remote caller bingo*  
12 *game.*

13 (8) *The value of prizes awarded during any remote caller*  
14 *bingo game must not exceed 40 percent of the gross receipts for*  
15 *that game. If a charitable organization elects, pursuant to*  
16 *subparagraph (4), to deduct fees paid to financial institutions for*  
17 *the use and processing of credit card sales from the amount of*  
18 *gross revenue awarded for prizes, then the maximum amount of*  
19 *gross revenue that may be awarded for prizes must not exceed 40*  
20 *percent of the gross receipts for that game, less the amount of*  
21 *such fees paid for the use and processing of credit card sales.*

22 (9) *The net proceeds from a remote caller bingo game,*  
23 *including at least 35 percent of the gross proceeds, must be*  
24 *exclusively devoted to the lawful purpose of the charitable*  
25 *organization licensed to operate the remote caller bingo game.*

26 **Sec. 5.** NRS 463.013 is hereby amended to read as follows:

27 463.013 As used in this chapter, unless the context otherwise  
28 requires, the words and terms defined in NRS 463.0133 to  
29 463.01967, inclusive, *and sections 2 and 3 of this act* have the  
30 meanings ascribed to them in those sections.

31 **Sec. 6.** NRS 463.0177 is hereby amended to read as follows:

32 463.0177 "Nonrestricted license" or "nonrestricted operation"  
33 means:

34 1. A state gaming license for, or an operation consisting of, 16  
35 or more slot machines;

36 2. A license for, or operation of, any number of slot machines  
37 together with any other game, gaming device, race book or sports  
38 pool at one establishment;

39 3. A license for, or the operation of, a slot machine route;

40 4. A license for, or the operation of, an inter-casino linked  
41 system; ~~{or}~~

42 5. A license for, or the operation of, a mobile gaming system  
43 ~~{or}~~; *or*

44 6. *A license for, or the operation of, a remote caller bingo*  
45 *game.*



**Sec. 7.** NRS 463.160 is hereby amended to read as follows:

463.160 1. Except as otherwise provided in subsection 4 and NRS 463.172, it is unlawful for any person, either as owner, lessee or employee, whether for hire or not, either solely or in conjunction with others:

(a) To deal, operate, carry on, conduct, maintain or expose for play in the State of Nevada any gambling game, gaming device, inter-casino linked system, mobile gaming system, slot machine, race book or sports pool;

(b) To provide or maintain any information service;

(c) To operate a gaming salon; ~~for~~

(d) *To operate a remote caller bingo game; or*

(e) To receive, directly or indirectly, any compensation or reward or any percentage or share of the money or property played, for keeping, running or carrying on any gambling game, slot machine, gaming device, mobile gaming system, race book or sports pool,

without having first procured, and thereafter maintaining in effect, all federal, state, county and municipal gaming licenses as required by statute, regulation or ordinance or by the governing board of any unincorporated town.

2. The licensure of an operator of an inter-casino linked system is not required if:

(a) A gaming licensee is operating an inter-casino linked system on the premises of an affiliated licensee; or

(b) An operator of a slot machine route is operating an inter-casino linked system consisting of slot machines only.

3. Except as otherwise provided in subsection 4, it is unlawful for any person knowingly to permit any gambling game, slot machine, gaming device, inter-casino linked system, mobile gaming system, *remote caller bingo game*, race book or sports pool to be conducted, operated, dealt or carried on in any house or building or other premises owned by the person, in whole or in part, by a person who is not licensed pursuant to this chapter, or that person's employee.

4. The Commission may, by regulation, authorize a person to own or lease gaming devices for the limited purpose of display or use in the person's private residence without procuring a state gaming license.

5. As used in this section, "affiliated licensee" has the meaning ascribed to it in NRS 463.430.

**Sec. 8.** NRS 463.1605 is hereby amended to read as follows:

463.1605 1. Except as otherwise provided in subsection 3, the Commission shall not approve a nonrestricted license, other than for the operation of a mobile gaming system, *remote caller bingo*



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1 *game*, race book or sports pool at an establishment which holds a  
2 nonrestricted license to operate both gaming devices and a gambling  
3 game, for an establishment in a county whose population is 100,000  
4 or more unless the establishment is a resort hotel.

5 2. A county, city or town may require resort hotels to meet  
6 standards in addition to those required by this chapter as a condition  
7 of issuance of a gaming license by the county, city or town.

8 3. The Commission may approve a nonrestricted license for an  
9 establishment which is not a resort hotel at a new location if:

10 (a) The establishment was acquired or displaced pursuant to a  
11 redevelopment project undertaken by an agency created pursuant to  
12 NRS 279.382 to 279.685, inclusive, in accordance with a final order  
13 of condemnation entered before June 17, 2005; or

14 (b) The establishment was acquired or displaced pursuant to a  
15 redevelopment project undertaken by an agency created pursuant to  
16 NRS 279.382 to 279.685, inclusive, in accordance with a final order  
17 of condemnation entered on or after June 17, 2005, and the new  
18 location of the establishment is within the same redevelopment area  
19 as the former location of the establishment.

20 **Sec. 9.** The Nevada Gaming Commission shall adopt the  
21 regulations required pursuant to this act on or before December 31,  
22 2011.

23 **Sec. 10.** This act becomes effective:

24 1. Upon passage and approval, for the purpose of adopting  
25 regulations; and

26 2. On October 1, 2011, for all other purposes.

